THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION No. 14112 of 2005

Date: 27.09.2005

Between:

Mohd. Khaja, s/o. Mohd. Hussain,

R/o. H.No.2-2-101, Tadban bus stop,

Boinapally, Secunderabad

…Petitioner

and

1)The Commissioner, Prohibition & Excise Dept.,

Nampally, Hyderabad & 2 others

…Respondents

ORDER:

The Writ Petition is filed to direct the respondents 1 and 2 not to grant I.L. 24 licence in favour of the third respondent in the premises 2-2-101, Opp. Tadbund Bus stop, New Bowenpally, Secunderabad, the present Writ Petition is filed.

The only grievance of the petitioner is that the premises to which I.L.24 licence is proposed to be granted to the third respondent is located within a distance less than 100 metres from Lord Shiva Temple. As per Rule 27 of the A.P. Excise (Lease of right of selling by _____ and conditions of licences) Rules, 2005, unless the temple is registered with the Endowments, the same has no application. That apart, there is no infringement of legal right of the petitioner. Secondly, the petitioner has not shown that the proposed licence is contrary to any of the Rules governing grant of the licences.

The Writ Petition is devoid of merits and is, accordingly, dismissed. No costs.

(K.C.Bhanu, J.)

27.09.2005

DRK